1

2

3

5 6

8

9

10

11

12 13

14

16

15

17 18

19

20 21

22

23 24

25

26

27 28 SRC LABS, LLC & SAINT REGIS Case No.: 2:18-cv-00321-JLR

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

Plaintiffs,

MICROSOFT CORPORATION,

MOHAWK TRIBE,

v.

Defendant.

STIPULATED MOTION AND **PROPOSED** ORDER TO MODIFY CLAIM CONSTRUCTION **SCHEDULE**

THE HONORABLE JAMES L. ROBART

NOTE ON MOTION CALENDAR: Thursday, August 30, 2018

JURY TRIAL DEMANDED

Plaintiffs SRC Labs, LLC & Saint Regis Mohawk Tribe (collectively, "Plaintiffs") and Defendant Microsoft Corporation ("Microsoft") submit this stipulation to request the following modification to the Court's Minute Order Setting Trial Dates and Related Dates entered on May 22, 2018 (Dkt. No. 94) (the "Minute Order").

Event	Current Deadline	Modified Deadline
Reports from expert witnesses regarding Markman issues	9/7/18	9/21/18 9/21/08
Rebuttal expert reports regarding Markman issues	9/21/18	10/5/18
Joint claim chart and Prehearing Statement	9/28/18	10/24/18
Opening claim construction briefs	10/26/18	11/2/18
Responsive claim constructive briefs	11/9/18	11/16/18
Markman Hearing	12/20/18	12/20/18

STIPULATED MOTION AND [PROPOSED] ORDER TO MODIFY CLAIM CONSTRUCTION SCHEDULE (NO. 2:18-cv-00321-JLR) - 1

Good cause exists for this extension because the parties are currently engaging in ongoing 1 discussions to narrow the number of claim terms in dispute. The proposed modifications do not 2 change the date of the Markman hearing and will not require modifying any other deadlines set 3 forth in the Court's Minute Order. 4 5 Stipulated and agreed to this 30th day of August 2018. 6 7 DATED: AUGUST 30, 2018 8 /s/ Patty A. Eakes Patty A. Eakes, WSBA 18888 9 pattye@calfoeakes.com Emily D. Powell, WSBA 49351 10 emilyp@calfoeakes.com CALFO EAKES & OSTROVSKY PLLC 11 1301 Second Avenue, Suite 2800 Seattle, Washington 98101 12 (206) 407-2200 13 David E. Killough, WSBA 40,185 davkill@microsoft.com 14 1 Microsoft Way Redmond, WA 98052 15 Tel: (425) 703-8865 16 Richard A. Cederoth* rcederoth@sidley.com 17 Nathaniel C. Love* nlove@sidley.com 18 SIDLEY AUSTIN LLP One South Dearborn Street 19 Chicago, Illinois 60603 Tel: (312) 853-7000 20 Scott M. Border* 21 sborder@sidley.com Joseph A. Micallef* 22 imicallef@sidley.com SIDLEY AUSTIN LLP 23 1501 K St. NW, Suite 600 Washington, DC 20005 24 Tel: (202) 736-8000 25 * Admitted pro hac vice 26 Attorneys for Defendant Microsoft Corporation

KELLER ROHRBACK L.L.P.

<u>/s/ Mark A. Griffin</u> Mark A. Griffin, WSBA #16296 Karin B. Swope, WSBA #24015 1201 Third Avenue, Suite 3200 Seattle, WA 98101 Phone: (206) 623-1900 Fax: (206) 623-3384 mgriffin@kellerrohrback.com kswope@kellerrohrback.com

SHORE CHAN DEPUMPO LLP Michael W. Shore (Pro Hac Vice) Alfonso G. Chan (Pro Hac Vice) Christopher Evans (Pro Hac Vice) Ari B. Rafilson (Pro Hac Vice) Paul T. Beeler (Pro Hac Vice) 901 Main Street, Suite 3300 Dallas, Texas 75202 Phone: (214) 593-9110 Fax: (214) 593-9111 mshore@shorechan.com achan@shorechan.com cevans@shorechan.com arafilson@shorechan.com pbeeler@shorechan.com

Attorneys for Plaintiffs SRC Labs, LLC & Saint Regis Mohawk Tribe

STIPULATED MOTION AND [PROPOSED] ORDER

TO MODIFY CLAIM CONSTRUCTION SCHEDULE (NO. 2:18-cv-00321-JLR) - 2

27

STIPULATED MOTION AND [PROPOSED] ORDER TO MODIFY-CLAIM CONSTRUCTION-SCHEDULE (NO. 2:18-cv-00321-JLR) - 3

PROPOSED ORDER

This matter is before the Court on the parties' Stipulated Motion to Modify Claim Construction Schedule. The Court, having considered this matter and the record in this case, ORDERS as follows:

The Stipulated Motion is GRANTED in its entirety.

IT IS HEREBY ORDERED THAT the claim construction deadlines are modified as follows.

Event	Current Deadline	Modified Deadline
Reports from expert witnesses regarding Markman issues	9/7/18	9/21/18 9/21/08
Rebuttal expert reports regarding Markman issues	9/21/18	10/5/18
Joint claim chart and Prehearing Statement	9/28/18	10/24/18
Opening claim construction briefs	10/26/18	11/2/18
Responsive claim constructive briefs	11/9/18	11/16/18
Markman Hearing	12/20/18	12/20/18

SO ORDERED this 31st day of August, 2018

THE HONORABLE JAMES L. ROBART UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of August, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

Dated: August 30, 2018

s/George Barrington George Barrington

STIPULATED MOTION AND [PROPOSED] ORDER TO MODIFY CLAIM CONSTRUCTION SCHEDULE (NO. 2:18-cv-00321-JLR) - - 4 -